

City of Rialto

*Council Chambers
150 S. Palm Ave.
Rialto, CA 92376*



Regular Meeting

ACTION AGENDA

Tuesday, October 14, 2014

5:00 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO UTILITY AUTHORITY, RIALTO
HOUSING AUTHORITY**

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Edward Palmer
Council Member Joe Baca Jr.
Council Member Shawn O'Connell
Council Member Lynn Hirtz
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Mike Story City Administrator*

Members of the public are afforded an opportunity to speak on any listed agenda item. Please notify the City Clerk if you wish to do so. All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Thursdays, and on the City's website at www.rialto.ca.gov. Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1552

Next Resolution No.6650

Called to Order By:

ROLL CALL

Rialto – Entering a Second Century of Progress

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 Conference with Legal Counsel - Existing Litigation: The City Council will discuss the following pending litigation(s) pursuant to Government Code Section 54956.9(d)(1):
 - (a) City of Rialto v. City of Fontana, et al. and related case
S.B. Superior Court Case No. CIVDS1402525
 - (b) Sergio Maldonado, et al. v. City of Rialto, et al.
S.B. Superior Court Case No. CIVDS1213121
- 2 Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Government Code Paragraph (2) of Subdivision (d) of Section 54956.9. Number of cases: One case.
- 3 Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:

Agency designated representatives:
Fred Galante, City Attorney
George Harris, Administrative and Community Services Director

Employee organizations:
Rialto Mid-Management & Confidential Employees Association

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Mayor Pro Tem Ed Palmer

INVOCATION-Pastor Hlebo, Calvary Chapel Rialto

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 Certificate of Appreciation-Scholl Aviation-36 Years of Service
Mayor Robertson
- 2 Certificate of Recognition-Don's Bike-55 Years of Service
Council Member Hirtz
- 3 Certificates of Recognition-Rialto High School Vocabulary.com
Champions-Council Member Hirtz
- 4 Presentation-FY 2013-2014 Human Relations Commission Annual
Report-Chairperson Martinez
- 5 Presentation-Bud Bender Park-Council Member Baca Jr.
- 6 Presentation-Donation by Rialto Firefighter Local 3688 to the Rialto
Recreation Division-Council Member Baca Jr.
- 7 Introduction of New Business-Manny Ruiz, Waba Grill
Council Member Baca Jr.

ORAL COMMUNICATIONS**City Council to consider removing or continuing any items on the agenda***NOTICE TO THE PUBLIC*

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by roll call.

CONSENT CALENDAR**A. WAIVE FULL READING OF ORDINANCES (ACTION)**

1. Waive reading in full, all ordinances considered at this meeting.

B. APPROVAL OF WARRANT RESOLUTIONS

- B.1 Resolution No. 12 (09/26/14)
- B.2 Resolution No. 13 (10/03/14)
- B.3 Resolution No. 14 (10/10/14)
- B.4 Resolution No. 14A (10/10/14)

C. APPROVAL OF MINUTES

- C.1** Regular City Council Meeting - September 23, 2014
- C.2** Special City Council Meeting - September 29, 2014
- C.3** Regular City Council Meeting - June 25, 2013

D. SET PUBLIC HEARING

- D.1** Request City Council to Set a Public Hearing for **October 28, 2014**, to consider Amendment No. 1 to the Renaissance Specific Plan to remove a 1,330 linear foot segment of Walnut Street between Laurel Avenue and Locust Avenue shown on the Vehicular Circulation Plan Map.
- D.2** Request City Council to Select the "Riverside Avenue - South I-210 Segment" (Easton Avenue to Walnut Avenue) for a Rule 20A Underground Utility District; and Request City Council to Adopt **Resolution No. 6646** Declaring its Intention to Authorize Underground Installation of Overhead Utility Wires and Related Facilities and to Establish Underground Utility District No. 9 (Riverside Avenue - Easton Street to Walnut Avenue), and Setting a Public Hearing for **December 9, 2014**, Therefore.

E. MISCELLANEOUS

- E.1** Request City Council to Approve the Construction Plans and Contract Specifications and to Authorize the Release of Request for Bids No. 15-017 for the Metrolink Parking Lot Expansion Project, City Project No. 120808.
- E.2** Request Rialto Housing Authority to Terminate the Agreement with KDF Communities to Develop the Rialto Crossroads Project and Authorize Release of a Request for Qualifications to Develop a New Affordable Housing Project.
- E.3** Request City Council to Approve an Advance of Funds Agreement to Reimburse Costs for Preparing a Development Agreement by and between the City of Rialto and Oakmont El Rivino LLC (Panattoni Development Company), and Budget **Resolution No. 6647** Increasing Revenues and Appropriating Expenditures of \$20,000.
- E.4** Request City Council to Approve the Purchase of Panasonic Toughbook Laptop Computers and Vehicle Mount Replicators from CDCE, Inc. in the Amount of \$45,754.40.

E.5 Request City Council to Approve the Job Description of Fire Division Chief.

E.6 Request City Council to Approve the Construction Plans and Contract Specifications and to Authorize the Release of Request for Bids No. 15-029 for the Fire Station 201 Remodel, City Project No. 140201, and the Rialto Police Department Training Room Addition, City Project No. 140210.

Motion by Council Member Baca Jr., second by Council Member Hirtz, and carried by unanimous vote to approve the Consent Calendar except for item B.4.

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

Motion by Council Member Baca Jr., second by Mayor Pro Tem Palmer, and carried by 4-1 vote to approve item B.4. Council Member Hirtz abstained.

AYES: Mayor Robertson, Mayor Pro Tem Palmer Council Members: Baca Jr., O'Connell,

NOES: None

ABSENT: None

ABSTAIN: Hirtz

TAB NEW BUSINESS

TAB 1 Request that City Council Adopt **Resolution No. 6648**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DECLARING ITS INTENT TO REDUCE THE TAX PAYMENTS MADE BY UTILITY USERS IN THE CITY OF RIALTO FROM EIGHT PERCENT (8%) TO SIX PERCENT (6%), BUT ONLY UPON PASSAGE AND IMPLEMENTATION OF MEASURE U RELATING TO A BUSINESS LICENSE TAX ON WHOLESALE LIQUID FUEL STORAGE FACILITIES.
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Hirtz, and carried by unanimous vote to approve Tab 1.

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB 2

Request City Council Approval of various Information Technology (IT) related Infrastructure Upgrades in an amount not-to-exceed \$471,343.66.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Council Member Hirtz, and carried by unanimous vote to approve Tab 2 as amended to remove the award of a purchase order to Las Colinas Engineering from staff recommendations for a revised amount not-to-exceed of \$431,164.66

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB 3

Request the Rialto Utility Authority to Approve Increase Purchase Authorization from \$15,000 to \$50,000 for Brownstein, Hyatt, Farber Schreck for Services Related to a Change of Use Petition with the State Water Resources Control Board and Adopt Budget **Resolution No. 6649**.

(ACTION)

Motion by Mayor Pro Tem Palmer, second by Council Member Baca Jr., and carried by unanimous vote to approve Tab 3.

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB 4

Request the City Council/Rialto Utility Authority to Approve a Final Construction Work Authorization in the amount of \$260,454 to Rialto Water Services for the Recurring Capital Project (Meter Replacements), Concession Agreement Capital Recurring Project WA.

(ACTION)

Motion by Council Member Hirtz, second by Council Member O'Connell, and carried by unanimous vote to approve Tab 4

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB 5

Request City Council to Approve Construction Contract Change Order No. 3 in the amount of \$54,838.78 with Avi-Con Inc., dba CA Construction, for the Community Center Rehabilitation Project - Phase 3, City Project CB1301.

(ACTION)

Motion by Council Member Baca Jr., second by Mayor Pro Tem Palmer, and carried by unanimous vote to approve Tab 5.

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB 6

Request City Council to increase the Purchase Order with Willdan Engineering Company in the amount of \$1,110,000 for a total of \$1,360,000 for "On-Call" Public Works Construction Management and Inspection Services for Capital Improvement Projects.

(ACTION)

Motion by Council Member Baca Jr., second by Mayor Pro Tem Palmer, and carried by unanimous vote to approve Tab 6

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

TAB 7

Request that City Council Authorize the Mayor to Execute the Settlement Agreement Among City of Fontana, City of Rialto, Rialto Utility Authority, Rialto Water Services, LLC and Veolia Water West Operating Services, Inc.

(ACTION)

Motion by Council Member Baca Jr., second by Mayor Pro Tem Palmer, and carried by unanimous vote to approve Tab 7

AYES: Mayor Robertson, Mayor Pro Tem Palmer, Council Members: Baca Jr., O'Connell, Hirtz

NOES: None

ABSENT: None

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT